

FILE NO.: Z-4807-P

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NAME: Lot 1 Block 19, Wellington Park Revised Short-form PD-O

LOCATION: Located North of Wellington Village Road just East of the Kirk and Wellington Village Roads intersection

DEVELOPER:

Longview, LLC  
400 West Capitol Avenue, Suite 2000  
Little Rock, AR 72201

SURVEYOR:

White-Daters and Associates  
24 Rahling Circle  
Little Rock, AR 72223

AREA: 2.707 acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0 LF

WARD: 5      PLANNING DISTRICT: 19 - Chenal      CENSUS TRACT: 42.19

CURRENT ZONING: PD-O

ALLOWED USES: Specific listing of office type uses

PROPOSED ZONING: Revised PD-O

PROPOSED USE: Elderly Housing/Assisted Living

VARIANCE/WAIVERS: None requested.

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BACKGROUND:

Ordinance No. 20.742 adopted by the Little Rock Board of Directors on July 9, 2013, rezoned the site from MF-6, Multi-family to Planned Office Development POD. The applicant proposed the development of the site with five (5) single story office buildings each proposed on a separate lot. The buildings were to range in size from 5,000 square feet to 15,120 square feet. The lots were to share access and parking through a cross access and parking agreement. Each of the lots was designed to allow for sufficient parking on each lot for the proposed office users.

A specific listing of uses was approved for the site. The approved uses included a Bank or savings and loan office, Clinic (medical, dental or optical), Establishment of religious, charitable or philanthropic organization, Art gallery, Office (general and professional), Private school for tutoring, business, adult education or special education, Studio (art, music, speech, drama, dance or other artistic endeavors), Travel bureau, Barber or beauty salon, Photography studio, Studio (broadcasting or recording), Duplication shop, Laboratory, Health studio or spa.

Ordinance No. 21,200 adopted by the Little Rock Board of Directors on April 5, 2016, revised the previously approved PD-O to allow the development of 1.8-acres of a 4.81-acre tract and to create a two (2) lot plat. The plan included the construction of a 12,200 square foot building to be used as a daycare center and 45 parking spaces. A playground containing 19,431 square feet of space was proposed and 28,189 square feet of miscellaneous space including open space and landscaping was proposed. The building was proposed as a single story building.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to revise the previously approved PD-O, Planned Development Office, to allow the development of 2.707-acres with two (2) buildings each containing 14,386 gross square feet of floor area for elderly housing. The plan indicates the placement of 22 parking spaces to serve the western building and 17 parking spaces to serve the eastern building.

B. EXISTING CONDITIONS:

There are a scattering of evergreen and hardwood trees on the site near the center of the proposed development area. There are single-family homes located to the east and southeast and a multi-family development located to the north. There is a large church located to the south and vacant C-1, Neighborhood Commercial zoned property to the northwest. Street improvements are in place on both Kirk Road and Wellington Village Road. There is an office building currently under construction to the west, across Kirk Road. The Commission recently approved a PD-O request to allow the development of a daycare center on the eastern portion of this site.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site were notified of the public hearing. There is not a neighborhood association or a property owners association, registered with the City, located in this area.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

2. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction.
3. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
4. Regional stormwater detention is provided for this property in the pond on the west side of Kirk Road.
5. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
6. Show the existing curb cut location on the south side of Wellington Village Road in relation to the proposed driveway.
7. Hauling of fill material on or off site over municipal streets and roads requires approval prior to a grading permit being issued. Contact Public Works, Traffic Engineering, Travis Herbner, 501.379.1805 or [therbner@littlerock.gov](mailto:therbner@littlerock.gov) for more information.
8. Provide a letter prepared by a registered engineer certifying the intersection sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
9. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.
10. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Little Rock Wastewater: Sewer main extension required, with easements, if new sewer service is required for this project. Capacity fee analysis required. EAD, Environmental Assessment Division, approval required for food prep to be done on site. Contact Little Rock Wastewater Utility for additional information.

Entergy: Entergy does not object to this proposal. An existing three phase, underground power line exists along the south side of Wellington Village Road in front of this property. Contact Entergy well in advance to discuss future service requirements, new facilities locations and adjustments to existing facilities (if any) as this project proceeds. Extending new service from an existing underground line may be complicated due to pre-existing conditions.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
5. Contact Central Arkansas Water regarding the size and location of the water meter.
6. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.
8. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.

Fire Department:

**Fire Hydrants.** Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

**Grade.** Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief.

**Loading.** Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

**30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4**

**D105.1 Where Required.** Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

**D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

**D105.4 Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

**Gates.** Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaced or repaired when defective.

5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

**Fire Hydrants.** **Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code.** Section C101 – C105, in conjunction with Central Arkansas Water (Jason Lowder 501-377-1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501-918-3757). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

Rock Region Metro: Location is not currently served by METRO but is in our long range plans. We recommend providing pedestrian infrastructure from the sidewalk to the facility front entrance. If a canopy is provided for the driveway drop off area that the height allow paratransit vehicle access.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review and approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner: Curtis Richey at 501.371.4724; [crichey@littlerock.gov](mailto:crichey@littlerock.gov) or Mark Alderfer at 501.371.4875; [malderfer@littlerock.gov](mailto:malderfer@littlerock.gov).

Planning Division: This request is located in Chenal Planning District. The Land Use Plan shows Suburban Office (SO) for this property. The Suburban Office category provides for low intensity development of office or office parks in close proximity to lower density residential areas to assure compatibility. A Planned Zoning District is required. The applicant has applied for a revision of a PDO (Planned Development Office) to allow elderly housing on the property.

Master Street Plan: To the south of the property is Wellington Village Road and it is a Collector on the Master Street Plan. The primary function of a Collector Road is to provide a connection from Local Streets to Arterials. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There is a Class III Bike Route shown on Wellington Village Road. These bike routes require no additional right-of-way, but either a sign or pavement marking to identify and direct the route.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A land use buffer six (6) percent of the average width/depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The minimum dimension shall be nine (9) feet. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. In addition to the required screening, plant materials are to be provided in the buffer areas at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet. The property to the east is zoned R-2, Single-family and the property to the north is zoned MF18. A minimum buffer will be required at six (6) percent of the average width/depth of the lot along these perimeters.
3. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of no less than three (3) feet within the required landscape area. Provide trees with an average linear spacing of no less than thirty (30) feet. Existing mature trees and dense understory vegetation can be used to meet these requirements if noted on the landscape plan to remain.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip.
5. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). The minimum size of an interior landscape area shall be one hundred fifty (150) square feet for developments with one hundred fifty (150) or fewer parking spaces. Interior islands must be a minimum of seven and one half (7 1/2) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.

6. Building landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building. These shall be provided at the rate equivalent to planter strip three (3) feet wide along the vehicular use area. One (1) tree and four (4) shrubs shall be planted in the building landscape areas for each forty (40) linear feet of vehicular use area abutting the building
7. A landscape irrigation system shall be required for developments of one (1) acre or larger.
8. The development of two (2) acres or more requires an approved landscape plan stamped with the seal of a registered landscape architect prior to the issuance of a building permit.
9. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (January 11, 2017)

Mr. Brian Dale of White-Daters and Associates was present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff requested information concerning the proposed signage plan. Staff also requested information concerning the proposed dumpster location and the proposed hours of dumpster service. Staff stated the development was indicated with two (2) buildings and questioned if the development would be constructed in phases or in a single phase. Staff also requested the applicant provide the proposed treatment of the perimeters of the site such as fencing and landscaping.

Public Works comments were addressed. Staff stated a grading and drainage plan was required prior to any land clearing or grading activities on the site. Staff requested Mr. Dale provide a sketch grading and drainage plan. Staff stated prior to construction of retaining walls an engineer's certification was required for the design. Staff stated upon completion an as-built certification of the retaining wall was required.

Rock Region Metro comments were addressed. Staff stated pedestrian access and accessibility for paratransit was required for the development. Staff stated if a canopy was provided for the driveway drop off area that the construction height allow paratransit vehicle access.

Landscaping comments were addressed. Staff stated a land use buffer was required along the northern and eastern perimeters of the site. Staff stated a minimum of 70-percent of the land use buffer was to remain in its natural state. Staff stated screening could be accomplished via plantings or a fence. Staff stated building landscaping and parking lot landscaping was required with the future development of the site.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing most of the technical issues associated with the request raised at the January 11, 2017, Subdivision Committee meeting. The applicant has indicated the dumpster along the eastern perimeter of the site and included a note on the site plan the hours of dumpster service limited to 7 am to 6 pm Monday through Friday. The applicant has also indicated the proposed treatment of the site perimeters and the development will be completed in a single phase.

The request is a revision to a previously approved PD-O, Planned Development Office zoning. The applicant is seeking approval to allow the development of the site with elderly housing. The assisted living facility will accommodate 16 to 20 residents per building who will have specialized care. The caregiver/client ratio is one (1) to four (4). The residents will be provided meals, activities and support that are individualized for each resident. This development will provide ancillary services on-site, such as transportation, recreation, and common dining facilities.

The proposal is to allow the construction of two (2) buildings each containing 14,386 gross square feet of floor area. The site plan indicates the placement of outdoor patio areas. The plan also indicates a covered drop-off in the front of the building. The construction materials for the buildings are proposed as a mix of brick and masonry board siding. The roofs are composite asphalt shingles. The maximum building height proposed is 25-feet.

The site plan indicates the placement of 36 parking spaces. Parking for an assisted living facility is typically calculated at ½ space per unit. The development is proposed with a maximum of 40 beds which will require the placement of 20 parking spaces. Staff feels the parking as proposed is adequate to serve the development.

The site plan indicates the placement of a single development sign along Wellington Village Road. Typically signage allowed in office zones is six (6) feet in height and 64 square feet in area. The site plan notes the placement of a monument sign which complies with the typical ordinance standard.

The site plan indicates the placement of a dumpster along the eastern perimeter of the site. The applicant notes the dumpster was placed in this area to limit visibility from the adjacent street. The applicant states due to the grade of the site the dumpster will be located below street grade. The enclosure will be constructed of complimentary materials of the building construction. The enclosure will also incorporate a metal gate along the front side. Landscape materials,

evergreen trees and shrubs, will be placed around the dumpster enclosure to soften the visual impact of the dumpster enclosure from the adjacent parking lot and the abutting street. The hours of dumpster service will be 7 am to 6 pm Monday through Friday.

The applicant is required to provide a land use buffer along the northern perimeter as well as provide screening due to the adjacent residential use and zoning. The site plan indicates the northern land use buffer will not remain in its undisturbed natural state. The grading plan indicates grading to the northern property line to allow the site to develop as proposed. The applicant has indicated a screening fence or dense evergreen plantings will be provided along the northern boundary. The required land use buffer along the northern perimeter should be 21.94-feet with no more than 30 percent of the buffer area disturbed. The plan as presented indicates the entire buffer area to be graded. A previous application was approved with an encroachment into this buffer area but to mitigate the encroachment that applicant offered to provide evergreen plantings at a rate of two (2) times the normal requirement of the landscape ordinance for perimeter plantings. The plant materials are to be a minimum of six (6) feet in height at the end of the growing season. Staff feels to allow this development to remove the land use buffer the developer should install evergreen plantings also at a rate of two (2) times the typical ordinance requirement and to stagger the plantings to increase the visual screen. Per typical ordinance requirements the required street buffer would be 21.94-feet and in no case less than one-half. It appears the street buffer requirement is being met.

The land use buffer along the eastern perimeter will be maintained as typically required by ordinance. The applicant has indicated a screening fence or dense evergreen plantings will be placed within the buffer to provide the required screening.

All site lighting will be low level and directional, directed downward and into the site. The lighting will be shielded to minimize over spilling of light onto adjacent properties. The maximum pole height for the parking lot lighting is 20-feet.

Staff is supportive of the applicant's request. The development is proposed as an elderly housing development with a maximum of 40-living accommodations. The overall density is 14.8-units per acre. To staff's knowledge there are no remaining outstanding technical issues associated with the request. Staff feels the revision to the PD-O zoning to allow the development as proposed will have limited impact on the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends approval of the variance request to allow grading of the northern land use buffer provided the applicant replant the buffer with evergreen plantings a minimum of six (6) feet in height at the end of the growing season and planted at a rate of two (2) times the normal planting requirement of the landscape ordinance for perimeter plantings.

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PLANNING COMMISSION ACTION:

(FEBRUARY 2, 2017)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the variance request to allow grading of the northern land use buffer provided the applicant replant the buffer with evergreen plantings a minimum of six (6) feet in height at the end of the growing season and planted at a rate of two (2) times the normal planting requirement of the landscape ordinance for perimeter plantings. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes and 1 absent.